

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DIESEL EBOOKS, LLC

Plaintiff,

v.

APPLE INC. et al.

Defendants.

CASE NO.: 14 Civ. 1768 (DLC)

4/21/2015

STIPULATION FOR VOLUNTARY DISMISSAL WITH PREJUDICE

WHEREAS, Plaintiff Diesel eBooks, LLC (“Diesel”) and Defendant Apple Inc. (“Apple”) have reached a settlement agreement in this action.

NOW, THEREFORE, Diesel and Apple, by and through their counsel of record, stipulate and agree that:

1. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the entire action, and each and every claim alleged therein against Apple but no other defendant, is voluntarily dismissed with prejudice. Each party is to bear its own fees and costs.
2. This Stipulation may be executed in one or more counterparts. Scanned signatures, digital signatures or signatures received by facsimile shall be treated the same as originals for the Stipulation and any written, agreed modification thereof. All executed counterparts and each of them shall be deemed to be one and the same instrument. A complete set of executed counterparts shall be filed with the Court.

So ordered.

James W.
4/21/15

Dated: April 20, 2015

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By:



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Dated: April 20, 2015

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Dated: New York, New York
_____, 2015

SO ORDERED:

DENISE COTE
United States District Judge *[Signature]*

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